




CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

December 30, 2003
Date


Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe Sophia Ran and
Rolf A. Brekken (As Amended)

Group Art Unit: 1617

Serial No.: 09/351,149

Examiner: Sharareh, S.

Filed: July 12, 1999

Atty. Dkt. No.: 3999.002383

For: Cancer Treatment Kits Comprising
Therapeutic Conjugates that Bind to
Aminophospholipids

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the fifth Office Action dated July 15, 2003 and the Advisory Action mailed October 31, 2003, finally rejecting claims 1-9, 16-19, 24-31 and 45-57 and objecting to claim 32 (copy enclosed)

The fee for filing this Notice of Appeal is \$330.00 and is included in the attached check.

A request for a two month extension of time to respond is included herewith. The extension fee is included in the attached check with the Notice of Appeal fee. This two month extension will bring the due date to December 30, 2003. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Director is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/3999.002383.

Respectfully submitted,

Williams, Morgan & Amerson, P.C.
Customer No. 23720



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Date: December 30, 2003